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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,325	02/07/2002	Masato Yoshikawa	G0126.0003/0US0	4581

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EXAMINER

AILES, BENJAMIN A

ART UNIT PAPER NUMBER

2142

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/067,325

Applicant(s)

YOSHIKAWA, MASATO

Examiner

Benjamin A Ailes

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-17 have been examined.

#### ***Priority***

2. The papers required in order to receive an earlier effective filing date have been received. The effective filing date for the subject matter defined in the pending claims in this application is 7 February 2001.

#### ***Drawings***

3. The drawings are objected to because the drawings submitted 29 May 2002 do not match the instant application. The drawings have no relation to the instant application and are not suitable for examination proceedings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

4. The disclosure is objected to because of the following informalities: On page 14, paragraph 1, sentence 1, the sentence currently states "...image marking is took over the corresponding..." Examiner suggests the sentence should be changed in order to state "...image marking takes over the corresponding..."

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Regarding claims 1 and 4, on line 11 of claim 1 and line 2 of claim 4, it is not clear whether the limitation requires an "editing or integrating unit" or an "editing and integrating unit." For examination purposes, examiner will assume an "editing or integrating unit." Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by

Purnaveja et al. (U.S. 6,006,241), hereinafter referred to as Purnaveja.

10. Regarding claims 1, 8, 15, 16, and 17, Purnaveja discloses a plural media data synchronizing system which connects image source to network data obtained from a network, comprising:

- an inserting unit which inserts into the image source an image marking including information used to display the network data synchronizing with displaying of the image source (col. 2, lines 42-48 and col. 5, lines 43-45);
- an image supplying unit which supplies the image source in which the image marking is inserted by the inserting unit, via a predetermined medium (col. 4, lines 46-49);
- an editing/integrating unit which receives the image source from the image supplying unit and performs at least one of editing of the received image source and integrating of the received image source, to produce image contents (col. 5, lines 43-45); and
- a display unit which detects the image marking from the image contents, and displays the image contents and the network data synchronously based on synchronizing information obtained from the detected image marking (col. 4, lines 46-49 and col. 5, lines 46-53).

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11. Regarding claims 2 and 9, in accordance with claims 1 and 8, respectively, Purnaveja discloses the system wherein the image supplying unit supplies the image source by using a plurality of media (col. 4, lines 9-22).

12. Regarding claims 3 and 10, in accordance with claims 1 and 8, respectively, Purnaveja discloses the system wherein the inserting unit (a) produces a feature file used for moving picture matching based on the image source (col. 5, lines 43-45), (b) inserts the image marking including a description about a location where the feature file is stored, into the image source (col. 5, lines 46-51), and (c) produces a synchronizing information script showing when the network data are displayed (col. 5, lines 46-53).

13. Regarding claims 4 and 11, in accordance with claims 3 and 10, respectively, Purnaveja discloses the system wherein the editing/integrating unit performs at least one of the editing and the integrating by using the feature file and the synchronizing information script (col. 5, lines 48-51).

14. Regarding claims 5 and 12, in accordance with claim 1 and 8, respectively, Purnaveja discloses the system wherein the image marking includes information used to access the network data based on a synchronizing timing of the image source (col. 7, lines 20-27).

15. Regarding claims 6 and 13, in accordance with claim 1 and 8, respectively, Purnaveja discloses the system wherein the inserting unit inserts the image marking into the image source for each medium by which the image source is supplied (col. 5, lines 43-45 and col. 7, lines 33-35).

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16. Regarding claims 7 and 14, in accordance with claims 6 and 13, respectively, Purnaveja discloses the system wherein the image marking includes information used to access the network data based on a synchronizing timing of the image source, and information of the network data (col. 7, lines 20-27 and col. 6, lines 57-64).

### ***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al. (U.S. 6,715,126) disclose efficient streaming of synchronized web content from multiple sources.

Palmer et al. (U.S. 5,623,690) disclose audio/video storage and retrieval for multimedia workstations by interleaving audio and video data in data file.

Milne et al. (U.S. 5,553,222) disclose a multimedia synchronization system using clock objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes, whose telephone number is (571)272-3899. The examiner can normally be reached on Monday-Friday (7:30-5).

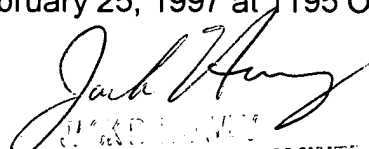
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached at (571)272-3896. The fax phone number for the organization where this application or proceeding is assigned is (703)872-3906.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [benjamin.ailles@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Benjamin Ailes  
Patent Examiner  
Art Unit 2142



JACK HUNG  
SUPERVISOR, PATENT EXAMINER